

Message Text

LIMITED OFFICIAL USE

PAGE 01 LIBREV 00801 300825Z

14

ACTION L-03

INFO OCT-01 AF-08 ISO-00 EB-07 COME-00 JUSE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 IO-13 TRSE-00 SEC-01 /076 W

----- 093863

R 291250Z APR 76

FM AMEMBASSY LIBREVILLE

TO SECSTATE WASHDC 7686

LIMITED OFFICIAL USE LIBREVILLE 0801

FOR L/PM

E.O. 11652: N/A

TAGS: PGOV, PFOR, GB

SUBJ: GABONESE LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 94647

1. RESPONSES REQUESTED IN PARA 2 REFTEL FOLLOW IN ORDER
CORRESPONDING TO SEQUENCE IN WHICH QUESTIONS WERE POSED:

A. YES - CRIMINAL CODE SECTION 143 COVERS ONLY ACCEPTANCE
BY OFFICIALS.

B. NO

C. NO

D. NO - ABSENCE OF CONTESTED ELECTIONS IN SINGLE PARTY
SYSTEM OBVIATES REASON FOR MOST POLITICAL CONTRIBUTIONS.

E. NO

F. NO

2. SECTION 143 OF GABON'S CRIMINAL CODE MAKES DEMAND AND/OR
ACCEPTANCE OF MONEY OR THINGS OF VALUE BY PUBLIC OFFICIALS,
OTHER THAN LEGAL RENUMERATION OR FEES, CRIME PUNISHABLE
BY UP TO TEN YEARS PRISON AND OR DOLS 8,000 FINE. APPEARS
THAT THIS IS ONLY LAW OR REGULATION APPLICABLE TO "QUES-
TIONABLE PAYMENTS" IN GABON.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 LIBREV 00801 300825Z

3. COMMENT: ABOVE RESPONSES ARE BASED ON INTERVIEWS WITH GOG OFFICIALS IN MINISTRIES OF FINANCE AND JUSTICE, INCLUDING STATE SOLICITOR GENERAL, AS WELL AS NATIONAL CHAMBER OF COMMERCE EXECUTIVE SECRETARY. DESPITE FACT THAT THESE SOURCES WERE CONFIDENT IN ACCURACY OF THEIR INFORMATION, EMBASSY BELIEVES THAT EARNEST PROSECUTOR COULD FIND MORE THAN SECTION 143 OF CRIMINAL CODE TO APPLY TO "QUESTIONABLE PAYMENTS". AFTER ALL, CURRENT GABONESE LAW CLOSELY FOLLOWS CIVIL AND CRIMINAL CODES OF FRENCH COLONIAL ADMINISTRATION. HOWEVER, CABINET TASK FORCE SHOULD BEAR IN MIND THAT IN THIS SOCIETY WHERE "QUESTIONABLE PAYMENTS", ESPECIALLY THOSE RELATED TO AWARD OF GOVERNMENT CONTRACTS, ARE CONSIDERED NORMAL PRACTICE, NO SUCH "EARNEST PROSECUTOR" EXISTS.

4. FULL TEXT OF RELEVANT LAW BEING POUCHED.DEJARNETTE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, FOREIGN INVESTMENT, BRIBERY, REPORTS, GOVERNMENT PERSONNEL
Control Number: n/a
Copy: SINGLE
Draft Date: 29 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976LIBREV00801
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: DECLASSIFIED PER 8/13/79 MEMO FROM L/EB - FRANK WILLIS
Executive Order: N/A
Errors: N/A
Film Number: D760166-0186
From: LIBREVILLE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976048/aaaaaggh.tel
Line Count: 78
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 STATE 94647
Review Action: RELEASED, APPROVED
Review Authority: cahillha
Review Comment: n/a
Review Content Flags:
Review Date: 13 SEP 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 SEP 2004 by cookms>; APPROVED <07 OCT 2004 by cahillha>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GABONESE LAWS ON QUESTIONABLE PAYMENTS
TAGS: PGOV, PFOR, GB, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006